UNITED STATES DISTRICT COURT   FILED
FOR THE DISTRICT OF MASSACHUSETTS. CLERKS OFFICE

CIVIL ACTION NO. 04 11520 RWZ

U.S. DISTRICT COURT
DISTRICT OF MASS.

NEAL A. COWE,	)
Plaintiff	)
	)
v.	)
	)
LYNCH, BREWER, HOFFMAN AND	)
SANDS, Allis LYNCH, BREWER,	)
HOFFMAN & FINK , COMMONWEALTH	)
OF MASSACHUSETTS ADMINISTRATIVE	)
CHIEF JUSTICE OF THE SUPERIOR COURT	)
SUSAN DELVECCHIO, COMMONWEALTH	)
of MASSACHUSETTS OFFICIAL COURT	)
REPORTER LILA MOREAU, SLOANE AND	)
WALSH AND MITCHELL & DESIMONE,	)
Defendants	)

MOTION OF DEFENDANTS SLOANE AND WALSH AND JOHN P. RYAN TO DISMISS

Pursuant to Fed. R. Civ. P. 12(b)(6) defendants Sloane and Walsh and John P. Ryan move that this action be dismissed as to them. As grounds in support, these defendants state:

1.   The Complaint is insufficient with respect to the requirements of Fed. R. Civ. P. 8 in that it is so confused, ambiguous, vague, or otherwise unintelligible to prevent a response with respect to any alleged meritorious claims therein.
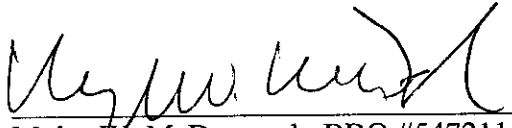
2.   It is clear from those allegations made with respect to Sloane and Walsh and Mr. Ryan that any purported claim against them would be barred under Massachusetts immunity principles;

3.   The Complaint fails to state a claim upon which relief can be granted; and

4.   The defendants also rely upon the enclosed memorandum in support of this motion.

WHEREFORE, defendants Sloane and Walsh and Ryan move that all claims against them be dismissed with prejudice.

By their attorneys,

Myles W. McDonough, BBO #547211
SLOANE AND WALSH, LLP
Three Center Plaza
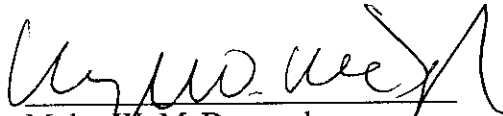Boston, MA 02108
(617) 523-6010

Dated: 10/19/04

CERTIFICATE OF SERVICE

I, Myles W. McDonough, certify that on the date shown below, I made service of the foregoing document, by causing a copy thereof to sent by U.S. mail, postage prepaid, Certified Mail, return receipt requested, and via Federal Express, to all parties of record.

Neal A. Cowe
1393 Briar Ridge Court
Jonesboro, GA 30238

Dated: 10/19/04

Myles W. McDonough